

MARK E. MILLER (S.B. # 130200) markmiller@omm.com
ANNE E. HUFFSMITH (S.B. # 236438) ahuffsmith@omm.com
SARA E. JERUSS (S.B. # 258716) sjeruss@omm.com
O'MELVENY & MYERS LLP
Two Embarcadero Center, 28th Floor
San Francisco, California 94111-3823
Telephone: 415.984.8700
Facsimile: 415.984.8701

Attorneys for Defendant and Counterclaimant
ADVANCED MICRO DEVICES, INC.

David N. Kuhn (State Bar #73389)
Attorney-at-Law
144 Hagar Avenue
Piedmont, CA 94611
Telephone: (510) 653-4983
E-mail: dnkuhn@pacbell.net

Attorney for Plaintiff and Counterdefendant
GREGORY BENDER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GREGORY BENDER,

Plaintiff and Counterdefendant,

v.

ADVANCED MICRO DEVICES, INC.,

Defendant and Counterclaimant.

Case No. C09-01149 MMC (EMC)

STIPULATION AND ~~PROPOSED~~
ORDER

WHEREAS a status conference is currently set for July 16, 2010 at 10:30 AM;

WHEREAS the parties have reached a tentative settlement agreement;

WHEREAS the parties need additional time to finalize their settlement agreement and file
the requisite documents with the Court;

THEREFORE, the parties hereby STIPULATE and AGREE that the status conference scheduled for July 16, 2010 shall be continued to August 27, 2010 at 10:30 am to allow the parties time to finalize their settlement agreement and file the requisite documents with the Court.

Respectfully submitted,

Dated: July 13, 2010

By: /s/ *Mark E. Miller*

Mark E. Miller
O'Melveny & Myers LLP
Counsel for Defendant
ADVANCED MICRO DEVICES, INC.

Dated: July 13, 2010

By: /s/ David N. Kuhn

David N. Kuhn
Attorney-at-Law
Counsel for Plaintiff GREGORY BENDER

Pursuant to General Order No. 45 X(B), I hereby attest that concurrence in the filing of this document has been obtained from each of the above-listed signatories.

Respectfully submitted,

Dated: July 12, 2010

By: /s/ *Mark E. Miller*

Mark E. Miller
O'Melveny & Myers LLP
Counsel for Defendant
ADVANCED MICRO DEVICES, INC.

PURSUANT TO STIPULATION IT IS SO ORDERED:

Dated: July 14, 2010

/s/ Vaughn R Walker for

The Honorable Maxine M. Chesney
United States District Judge